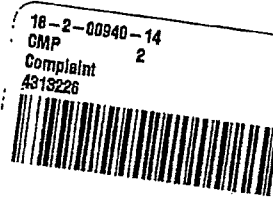


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GRAYS HARBOR CO.
C. BROWN CLERK

SUPERIOR COURT OF WASHINGTON
IN AND FOR GRAYS HARBOR COUNTY

ROBERT A. SHOBERG,

Plaintiff,

vs.

GRAYS HARBOR COUNTY, a Washington
municipal corporation; GRAYS HARBOR
COUNTY BOARD OF COMMISSIONERS, the
legislative body of Grays Harbor County; and
GRAYS HARBOR DRUG TASK FORCE,

Defendant.

No. 18-2-940-14

COMPLAINT FOR RETURN OF PERSONAL
PROPERTY

The Plaintiff, ROBERT A. SHOBERG, by and through his attorney, SCOTT A. CAMPBELL, brings this cause of action to obtain redress for the unlawful deprivation of certain personal property seized by the Defendant, Grays Harbor County, Grays Harbor County Board of Commissioners, and Grays Harbor Drug Task Force, under the color of state law.

I. JURISDICTION

1.1 This court has subject matter jurisdiction over this matter pursuant to RCW 10.105.010(5), 4.12.010(2) and 3.66.020(9).

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II. VENUE

2.1 Venue is proper pursuant to RCW 4.12.010(2) because the subject of this cause of action, certain personal property seized by the Defendant to which Plaintiff asserts an ownership and/or possessory interest, occurred in the City of Aberdeen, County of Grays Harbor, State of Washington.

III. PARTIES

3.1 ROBERT A. SHOBERG, the Plaintiff is a resident of County of Grays Harbor, State of Washington.

3.2 GRAYS HARBOR COUNTY, the defendant is a Washington municipal corporation.

3.3 GRAYS HARBOR COUNTY BOARD OF COMMISSIONER, the defendant is the legislative body of Grays Harbor County.

3.4 GRAYS HARBOR DRUG TASK FORCE, the defendant is the Grays Harbor Drug Task Force. Upon information and belief, the Grays Harbor Drug Task Force is an interlocal cooperative organization of law enforcement agents from different municipalities and/or other political subdivisions that act on behalf of Grays Harbor County, a county organized under the laws of the State of Washington.

3.5 Each of the acts and omissions alleged herein occurred in the City of Aberdeen, County of Grays Harbor, State of Washington.

IV. FACTS

4.1 On October 24, 2018, Defendant seized certain personal property to which Plaintiff asserts an ownership and/or other possessory claim, to wit:

Item 5:	Ruger Rifle w/scope SN/6926025
Item 6:	Stevens Shotgun SN/130915N
Item 7:	Savage 7mm Rifle w/scope SN/G711449
Item 8:	Ruger 10/22 Rifle w/scope SN/G711449
Item 9:	Springfield XD .45 cal SN/535225
Item 10:	Mags for Springfield XD
Item 11:	Black box for Springfield XD
Item 12:	Lever Action Rifle SN/F19512
Item 13:	Double Barrel Shotgun Thada Gon Co SN/379031
Item 14:	Aris Aero Precision X15 SN/ARO4038
Item 18:	\$6020 US Currency
Item 19:	\$4650 US Currency
Item 20:	\$280 US Currency
Item 23:	Blue ammo can containing multiple cal of ammo
Item 25:	Gray Infinity G35 LIC/BIA2613
Item 26:	\$1650 US Currency

4.2 On or about October 30, 2018, Plaintiff received from Defendant a Notice of Seizure and Intended Forfeiture, which is attached hereto and incorporated by this referenced as Exhibit A.

4.3 To date, Plaintiff has not received from the Defendant any compensation for the deprivation of the property identified in Paragraph 6 above.

4.4 The Defendant did not have probable cause to believe that the property seized identified in Paragraph 6 above, was actually employed as an instrumentality in the commission of a felony in violation of RCW 10.105.010(1).

**V. DEPRIVATION OF CONSTITUTIONAL RIGHTS,
PRIVILEGES, AND IMMUNITIES
(42 U.S.C. § 1983)
- TAKINGS CLAUSE -**

5.1 Plaintiffs incorporate the allegations contained in Paragraphs 6 through 9 with the same force and effect as if fully set forth herein.

1 5.2 At all times relevant to the allegations set forth in this Complaint, the Defendant
2 committed each and every act or omission under the color of the laws, statutes, ordinances,
3 regulations, customs or usages of the City of Aberdeen Police Department.
4

5 5.6 The Defendant intentionally, or with deliberate indifference and callous disregard of
6 Plaintiffs' rights, deprived Plaintiffs of the subject property without just compensation in violation of
7 Article 1, Section 16, of the Washington State Constitution, and the Fifth Amendment to the United
8 States Constitution.
9
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11 5.7 As a direct and proximate result of the unlawful taking of the subject property,
12 Plaintiffs have suffered damages including loss of use and enjoyment, interest, invasion of privacy,
13 attorneys' fees, and costs associated with bringing this action to secure the return of his property.
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16 **VI. RELIEF REQUESTED**

17 The Plaintiffs request the following relief:

18 6.1 A full adversarial hearing;
19

20 6.2 Judgment in favor of Plaintiff and against Defendant ordering the immediate return of
21 the subject personal property;
22

23 6.3 Compensatory damages for loss of use and enjoyment and lost interest, in an amount
24 to be determined at trial;
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26 6.4 Damages in an amount to be determined at trial;

27 6.5 Costs incurred in bringing this action; and

28 6.6 Such other relief as may be just, equitable, and proper.
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1 DATED this 16th day of November, 2018.

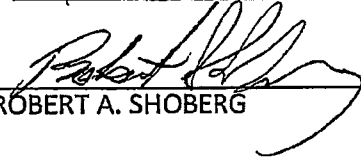
2 CAMPBELL LAW FIRM, INC., P.S.

3
4
5 By: 
6 SCOTT A. CAMPBELL, WSBA# 19595
7 Attorney for Plaintiff

8
9 VERIFICATION BY PLAINTIFF

10 I Certify that I am the plaintiff named herein, I have read the foregoing instrument and believe
11 the facts to be true and correct.

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13 Signed at Montesano, Washington, on 11/18, 2018.

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17 ROBERT A. SHOBERG
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